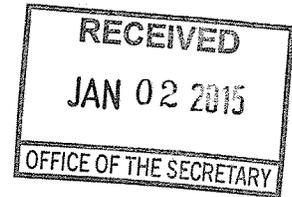


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION



In the Matter of)	
)	
DENNIS J. MALOUF,)	ADMINISTRATIVE PROCEEDING
)	
)	File No. 3-15918
Respondent.)	
)	

MOTION FOR CONTEMPT AND FOR SANCTIONS

COMES NOW, UASNМ, Inc., by and through undersigned counsel and moves this Honorable Administrative Law Judge to find Respondent in contempt and to order sanctions against Respondent, Dennis J. Malouf. As grounds therefore UASNМ, Inc. would show:

1. On October 28, 2014, this Honorable Administrative Law Judge entered its Order on Subpoena to UASNМ, Inc. The Order, in appropriate part, states that production of documents by UASNМ to Respondent, was contingent on Respondent agreeing in advance to pay up to \$20,000.00 in reasonable costs of compliance.

2. As this Honorable Administrative Law Judge is well aware, there were substantial e-mails required before the Respondent affirmatively stated he would pay up to \$20,000.00 in reasonable costs. In fact, counsel for Respondent repeatedly emphasized in its Response in Opposition to UASNМ, Inc.'s Notice of Compliance and Request for Reconsideration (see pp. 2-3) that Respondent would pay and that he "relied upon the cap" contained in the October 28, 2014, Order to proceed with his request for documents.

3. On December 19, 2014, this Honorable Administrative Law Judge issued its Order requiring the Respondent to pay the total sum of \$14,479.21 not later than December 31, 2014.

4. On December 30, 2014, the undersigned received the attached letter and check from opposing counsel which specifically states that the full amount ordered by this Honorable Administrative Law Judge was not being paid but instead that the Respondent would be making arrangements for payment of the balance through his state court counsel, Allan Wainwright. (**Exhibit 1**).

5. This Honorable Administrative Law Judge will also recall the Respondent vehemently chastised the undersigned counsel in his Response in Opposition for suggesting a resolution of this matter concerning fees and costs owed by the Respondent in the state court case in which Mr. Wainwright represents the Respondent, falsely accusing the undersigned of attempting to “leverage” the resolution of attorney’s fees and costs in this case with the state court case (see page 3 of Response in Opposition). Furthermore, opposing counsel stated that he had nothing to do with the state court case yet now blithely states the balance owed will be handled by state court counsel. Of course, no communication was received from Mr. Wainwright by the deadline of December 31, 2014.

6. This is exactly the situation about which UASNМ, Inc. was concerned, as pointed out in its Reply under service date of December 17, 2014. As can be seen from the check, it is not from Respondent but from an insurance carrier. It is obvious that Mr. Malouf cares little about the orders of this Court, and despite his protestations in recent e-mails and pleadings that he would pay what this Honorable Administrative Law Judge ordered, his statements were obviously false and done solely with the intent to harm UASNМ, Inc. His misconduct is shown by refusing to pay the amounts ordered to be paid to UASNМ, Inc. for compiling documents he demanded to be produced, as well as using his counsel to threaten not only UASNМ, Inc. with contempt but also having this Honorable

Administrative Law Judge issue an Order to Show Cause by intentionally misstating a prior order issued by the predecessor Administrative Law Judge in this case.

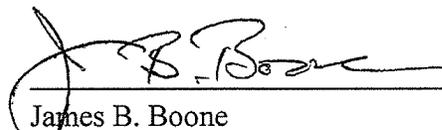
7. Once again UASNM, Inc. is forced to expend additional attorney's fees to compel Respondent to comply not only with the Order of December 19, 2014, but also with his own affirmative and now false statements. This is the epitome of a sanctionable offense: the willful and intentional disobedience of this Honorable Administrative Law Judge's order of December 19, 2014.

WHEREFORE, based upon the foregoing, UASNM, Inc., through its counsel, moves this Honorable Administrative Law Judge to find Respondent in contempt for willfully failing to obey the December 19, 2014, Order; that Respondent pay additional attorney's fees incurred by UASNM, Inc. in the amount of \$500.00 to file this Motion; and that if Respondent fails to pay all attorney's fees incurred in the filing of this Motion, as well as the balance owed of \$2,475.00 to UASNM, Inc., a total of \$2,975.00, within five (5) days, as an additional sanction, Respondent be ordered to pay the balance all attorney's fees and costs incurred by UASNM, Inc., as contained in its Notice of Compliance and Request for Reconsideration, under service date of November 7, 2014, in the total amount of \$51,356.39 (\$65,835.60 less the \$14,479.21 ordered to be paid).

Respectfully submitted,

CHAPPELL LAW FIRM, P.A.

By



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Attorneys for UASNM, Inc.

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Robert K. Jamieson
Direct Dial: 813-347-5110
rjamieson@wiandlaw.com

December 29, 2014

Via E-Mail and Federal Express

James B. Boone
Chappell Law Firm, PA
6001 Indian School Road NE, Suite 150
Albuquerque, NM 87110

RECEIVED
SCANNED
DEC 30 2014

Re: *In re: Dennis J. Malouf SEC Administrative Proceeding No. 3-15918*
Subpoena to UASNM, Inc.

Dear Mr. Boone:

Please find enclosed a check in the amount of \$12,004.21 towards payment of the attorneys' fees and cost of the hard drives pursuant to Judge Patil's December 19, 2014 Order. Mr. Malouf will make arrangements for payment of the \$2,475 for UASNM personnel time through his counsel Allan Wainwright

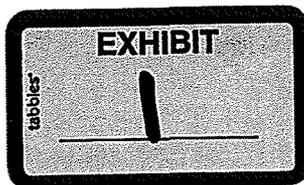
Sincerely yours,



Robert K. Jamieson

RKJ/nac
Enclosure

cc: Peter B. King, Esq.
Stephen C. McKenna, Esq. (Letter only via email)
Judge Jason S. Patil (Letter only via email)



FOR SECURITY REASONS THE FACE OF THIS CHECK CONTAINS A BLUE BACKGROUND AND MICROPRINTING

AIG Specialty Company

50,937/213

Claim No: [REDACTED] Policy No.: [REDACTED]
Reason for ORDERED PAYMENT

CHECK No. [REDACTED]
REP No. [REDACTED]
DATE [REDACTED]

*****Twelve Thousand Four & 21/100 Dollars***

AMOUNT PAID

*****\$12,004.21

Pay TO THE ORDER OF THE CHAPPELL LAW FIRM, PA TRUS

Void after 90 Days

[Handwritten Signature]
[Handwritten Signature]

AUTHORIZED SIGNATURE

JPMORGAN CHASE BANK, N.A.
SYRACUSE, NY 13206

DO NOT CASH IF WATERMARK IS NOT PRESENT ON THE REVERSE SIDE OF THIS DOCUMENT - HOLD AT AN ANGLE TO VIEW

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